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8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA  
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11 IN RE: INCRETIN MIMETICS  
12 PRODUCTS LIABILITY  
13 LITIGATION

} Lead Case No. 13md2452 AJB (MDD)

} Case No. 13cv2365 AJB (MDD)

14 \_\_\_\_\_  
15 RICHARD MUNDY,  
16 Plaintiff,

} ORDER GRANTING JOINT  
} MOTION FOR LEAVE TO FILE AN  
} AMENDED SHORT FORM  
} COMPLAINT

16 MERCK SHARP & DOHME CORP.,  
17 and DOES 1-100,  
18 Defendants.  
19 \_\_\_\_\_

} (Doc. No. 26)

} Doc. No. 1442 in Case No. 13md2452  
}

20 Presently before the Court is the parties' joint motion for leave to substitute  
21 Plaintiff Richard Mundy, who passed away on June 10, 2014, for Plaintiff Valerie  
22 Capito-Mundy, the personal representative of the Estate of Richard Mundy. (Doc. No.  
23 26.) Plaintiff's counsel filed a suggestion of death on June 26, 2015, in accordance with  
24 Federal Rule of Civil Procedure 25(a)(1). Plaintiff also requests leave to file an amended  
25 short form complaint including claims for loss or consortium, survival claims, and  
26 wrongful death. Upon review, the Court **GRANTS** the joint motion.

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1 The Clerk of Court is instructed to update the caption in both the individual case,  
2 13cv2365, and the lead case, 13md2452 as follows:

3 VALERIE CAPITO-MUNDY, INDIVIDUALLY AND AS PERSONAL  
4 REPRESENTATIVE OF THE ESTATE OF RICHARD MUNDY, DECEASED,

5 Plaintiff,

6 v.

7 MERCK SHARP & DOHME CORP., ET AL.,

8 Defendants.

9 The Clerk of Court is further instructed to docket the amended complaint attached  
10 as Exhibit A to the motion. (Doc. No. 26-1.)

11  
12 **IT IS SO ORDERED.**

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14 DATED: September 16, 2015

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16 Hon. Anthony J. Battaglia  
17 U.S. District Judge  
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